

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

ALEXANDER P. LEES,  
Petitioner,  
v.  
CARLOS ARCE,  
Respondent.

Case No. 2:24-cv-03296-TLN-JDP

**ORDER**

Petitioner Alexander P. Lees (“Petitioner”), a state prisoner proceeding pro se, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 26, 2025, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner has not filed objections to the findings and recommendations.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed *de novo*. *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007). The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge’s

analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 26, 2025 (ECF No. 16.) are adopted in full;

2. This action is DISMISSED without prejudice for failure to prosecute and comply with court orders;

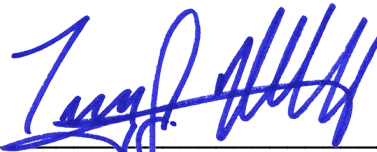
3. Respondent's Motion to Dismiss (ECF No. 14) is DENIED as moot;

4. The Court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253; and

5. The Clerk of Court is directed to close this case and to enter judgment accordingly.

IT IS SO ORDERED.

Date: September 26, 2025

  
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TROY L. NUNLEY  
CHIEF UNITED STATES DISTRICT JUDGE